



The Commonwealth of Massachusetts  
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

**STATE 911 DEPARTMENT**

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VIA ELECTRONIC MAIL AND OVERNIGHT MAIL

March 3, 2022

Shonda D. Green, Department Secretary  
Massachusetts Department of Telecommunications and Cable  
1000 Washington Street, Suite 820  
Boston, Massachusetts 02118-6500

RE: Petition of the State 911 Department for Approval of Fiscal Year 2022 Expenditures, Approval of Fiscal Year 2023 Development Grant Amount, Approval of Fiscal Year 2023 Incentive Grant Regional PSAP Three to Nine Communities Category Percentage, and Approval of Fiscal Year 2023 Incentive Grant Regional Emergency Communications Center Category Percentage

Dear Ms. Green:

Pursuant to Massachusetts General Laws ("G.L.") c. 6A, §18H(b), the State 911 Department hereby submits this Petition of the State 911 Department for Approval of Fiscal Year 2022 Expenditures, Approval of Fiscal Year 2023 Development Grant Amount, Approval of Fiscal Year 2023 Incentive Grant Regional PSAP Three to Nine Communities Category Percentage, and Approval of Fiscal Year 2023 Incentive Grant Regional Emergency Communications Center ("RECC") Category Percentage.

The State 911 Department ("Department") offers the following in support of the Petition.<sup>1</sup>

**I. FISCAL YEAR 2022 EXPENDITURES**

The Department is required to seek the approval of the Department of Telecommunications and Cable ("DTC") for projected total expenditures that exceed total

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<sup>1</sup>Pursuant to G.L. c. 6A, § 18H(b), the Department is required to report annually to the DTC on the financial condition of the Enhanced 911 Fund and on the Department's assessment of the new developments affecting the enhanced 911 system. The Department respectfully requests that the DTC treat this petition as satisfying that requirement for Fiscal Year 2022.

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expenditures of the previous fiscal year by ten (10) per cent or more. *See* G.L. chapter 6A, §18H(c), which provides in pertinent part, as follows:

The department shall seek the approval of the department of telecommunications and cable for projected total expenditures that exceed total expenditures of the previous fiscal year by 10 per cent or more. The department of telecommunications and cable may investigate the reasonableness of the expenditures and shall conduct its review and issue a decision within 90 days from the date the department files its request for approval, but the request for approval shall be deemed approved if the department of telecommunications and cable does not issue its decision within such 90 days. The department of telecommunications and cable shall notify the department of its intent to investigate within 20 days of the date the department files its request for approval. The department's request for approval shall be deemed approved in the absence of the department of telecommunication and cable's notification to the department of its intent to investigate. If the department of telecommunication and cable notifies the department that it intends to investigate an expenditure, the department of telecommunications and cable may hire experts to assist in its investigation. The reasonable cost of the experts shall be charged to the Enhanced 911 Fund, but in no event shall such cost exceed \$200,000, which may be adjusted to reflect changes in the consumer price index.

An itemized breakdown of the Department's projected expenditures for Fiscal Year 2022 is set forth in Exhibit A, along with the final expenditures for Fiscal Year 2021, attached hereto and made a part hereof. The expenditures are described in more detail below.

As set forth in Exhibit A, the projected expenditures of the Department for Fiscal Year 2022 are \$180,795,328. This projected amount is more than ten (10) per cent greater than the actual expenditures of \$136,740,424 for Fiscal Year 2021. Accordingly, the Department hereby requests DTC approval of Fiscal Year 2022 projected expenditures.

## **II. ENHANCED 911 FUND**

The legislation provides that the Department shall disburse funds from the Enhanced 911 Fund for prudently incurred expenses associated with the following:

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. . . the lease, purchase, upgrade or modification of primary and regional PSAP customer premises equipment and the maintenance of such equipment; network development, operation and maintenance; database development, operation, and maintenance; training of 911 telecommunicators regarding the receipt and use of enhanced 911 service information; education of consumers regarding the operation, limitation, role and responsible use of enhanced 911 service; grants associated with enhanced 911 service as set forth in subsection (i) and any other grant approved by the department associated with providing enhanced 911 service in the commonwealth; the recurring and nonrecurring costs of communication services providers in providing enhanced 911 service in the commonwealth to the extent required by federal or Massachusetts law or regulation or federal or Massachusetts agency decision or order; and other expenses incurred by the state 911 department in administering and operating the enhanced 911 system in the commonwealth. *See* G.L. c. 6A, § 18B(f).

As set forth more fully below, the Department's expenditures are prudently incurred, statutorily authorized expenses necessary to administer and operate the 911 system in the Commonwealth.

#### **Projected Revenues and Expenditures**

The Department has projected revenues and expenditures for the Enhanced 911 Fund for Fiscal Year 2022 through Fiscal Year 2026. See Exhibit B.

#### **Projected Surcharge Revenues**

The revenue projection methodology is consistent with the Department's past revenue projection methods. The subscriber line counts are based on the average number of subscribers available at the date of this filing and assumes no change in the number of access lines subject to the surcharge. The estimate of revenues for each fiscal year is derived from the beginning fund balance, the estimated net revenue, and interest earned. The total estimated revenue is reached by adding to the beginning fund balance, the estimated total net revenue and the estimated interest earned.

Please note these projections reflect the reduction of the surcharge fee from \$1.50 to \$1.00 effective January 1, 2024 per D.T.C. Order 18-2 dated June 29, 2018.

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### *Beginning Fund Balance*

The beginning fund balance of the Enhanced 911 Fund is arrived at by carrying over the Enhanced 911 Fund balance from the prior fiscal year.

### *Net Revenue*

The estimate of the net revenue for each fiscal year is based on multiplying the then current surcharge and the then estimated number of subscribers and subtracting carrier administrative fees. The projection assumes a one (1) per cent carrier administrative fee.

### *Interest Earned*

The Department does not earn interest on the total Enhanced 911 Fund balance. Interest is earned only on the invested funds. The interest earned each month is then reinvested, thereby increasing the invested funds. To estimate the interest earned, the Department utilizes the average interest rate as provided by the Office of the State Treasurer in its monthly reporting on the Massachusetts Municipal Depository Trust. The Department has applied an annual rate of 0.11 per cent as an estimate of the interest rate to be applied, on a monthly basis, to the fund balance.

### **Projected Expenses**

The following is a description of the budgeted categories of expenses for the Enhanced 911 Fund. These expenses are prudently incurred and are necessary to meet the legislation's directives.

### **Administration**

#### *Salary Costs*

The Department's projected expenses include salaries and overhead costs for employees, excluding salary costs associated with the operation of the wireless and 911 centers since those costs are included in the line item for each such center discussed below, and contract employees. The projected salary costs are attributable to full time employee ("FTE") and contract positions. These positions are necessary to fulfill the Department's statutory obligations. The Department has projected salary expenses that reflect contractual step increases and estimated cost of living adjustments that may be negotiated by the National Association of Government Employees (NAGE) union, the Service Employees International Union – Local 888 Unit 2 (SEIU) and the Commonwealth.

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### Agency Expenses

The category of agency expenses includes employee reimbursements, administrative expenses, operational supplies, utilities/space rental, consultant services, operational services, equipment purchases, lease, maintenance, and repair services, building maintenance and repairs, and IT services and equipment.

### Capital Project

The Department's projections include funding for the relocation and expansion of the Department's wireless center.

### Grant Programs

The legislation requires the Department to develop and administer grant programs to assist PSAPs and RECCs in providing enhanced 911 service and to foster the development of regional PSAPs, regional secondary PSAPs, and RECCs. *See* G.L. c. 6A, 18B(i). The legislation requires that the Department fund the following grant programs: the PSAP and Regional Emergency Communications Center Training Grant ("Training Grant"); the PSAP and Regional Emergency Communication Center Support Grant ("Support Grant"); the Regional PSAP and Regional Emergency Communication Center Incentive Grant ("Incentive Grant"); the Wireless State Police PSAP Grant; and the Regional and Regional Secondary PSAP and Regional Emergency Communications Center Development Grant ("Development Grant"). *See* G.L. c. 6A, § 18B(i)(1)-(5). The legislation also permits the Department to introduce new grants associated with providing enhanced 911 service in the Commonwealth. *See* G.L. c. 6A, § 18B(f). As discussed below, as permitted by the legislation, in 2011, the Department introduced a new grant, the Emergency Medical Dispatch ("EMD") Grant.<sup>2</sup> The EMD Grant was renamed the EMD/Regulatory Compliance Grant in Fiscal Year 2014. In Fiscal Year 2020, the Grant went back to being named the EMD Grant.

The legislation provides that the State 911 Commission shall approve all formulas, percentages, guidelines, or other mechanisms used to distribute these grants. *See* G.L. c. 6A, § 18B(a). The eligibility requirements, purpose, use of funding, including categories of use of funds, application process, grant review and selection process, and grant reimbursement process for each of these grants are set forth in the Grant Guidelines that are approved by the State 911 Commission.

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<sup>2</sup> The EMD Grant was approved by the DTC by Order dated May 27, 2011 in D.T.C. 11-2.

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### Training Grant

The Public Safety Answering Point and Regional Emergency Communication Center Training Grant ("Training Grant") reimburses primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs for allowable expenses related to the training and certification of enhanced 911 telecommunicators.

The Department's projections maintain a funding level for the Training Grant to provide sufficient funding for primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs to meet the minimum training and certification requirements for enhanced 911 telecommunicators.

### Emergency Medical Dispatch Grant

The purpose of the Department's EMD Grant is to reimburse primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs, for allowable expenses relating to emergency medical dispatch services provided through a certified emergency medical dispatch resource, emergency medical dispatch protocol reference systems (EMDPRS), and for allowable expenses for other emergency medical dispatch and quality assurance of emergency medical dispatch services.

The Department's projections maintain a funding level for the EMD Grant to provide sufficient funding for primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs to meet the minimum requirements governing EMD.<sup>3</sup>

### Support and Incentive Grants

The Support and Incentive Grants provide funding to primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs for allowable expenses related to enhanced 911 personnel and equipment costs. In addition to amounts allocated as part of the Support Grant, incentive funds are awarded to regional PSAPs and RECCs that serve multiple communities.

The Department's projections maintain a funding level for the Support Grant to provide sufficient funding for primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs for personnel, equipment, and other allowable expenses.

The legislation requires that the Incentive Grant shall provide regional PSAPs and RECCs with funds, in addition to amounts allocated as part of the Support Grant, to be used for reimbursement of allowable expenses. See G.L. c. 6A, §18B(i)(4). The

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<sup>3</sup> The statutory definition of "emergency medical dispatch" or EMD, is set forth in G.L. c. 6A, § 18A.

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legislation uses a formula that applies a specified percent of total surcharge revenues for the previous fiscal year based on the number of municipalities to be served by the regional PSAP or RECC. *See* G.L. c. 6A, § 18B(i)(4).

The Department's projections maintain a funding level for the Incentive Grant to provide additional funding for regional PSAPs and RECCs for personnel, equipment, and other allowable expenses, and to allow the Department to meet its statutory obligations to maximize effective enhanced 911 services and regional interoperability and will further the Department's goals of increased regionalization which will, in turn, lead to a more efficient and effective use of resources and improve public safety. Please see Section IV of the Petition where the Department proposes an increase of funding up to 3% in the regional PSAP three to nine communities category, and Section V of the petition where the Department proposes an increase of funding up to 12% in the RECC category.

#### *Wireless State Police PSAP Grant*

Currently, many 911 calls placed from wireless callers in the Commonwealth are routed to a wireless state police PSAP for directly dispatching emergency response services or transferring the calls to local PSAPs for local police, fire, and emergency medical services dispatch, or in some instances not transferred at all.

The Wireless State Police PSAP Grant reimburses the wireless state police PSAP at Northampton for allowable expenses related to training, enhanced 911 personnel, and equipment costs. The Department's projections maintain the funding level for the Wireless State Police PSAP Grant, providing sufficient funding for allowable expenses.

#### *Development Grant*

The Development Grant supports the development and startup of regional PSAPs, regional secondary PSAPs, and RECCs, including the expansion or improvement of existing regional PSAPs and RECCs. Since the inception of the grant programs in Fiscal Year 2009, the Department has witnessed a significant interest in regionalization among the PSAPs and RECCs. Through the Development Grant, the Department has provided funding for a number of significant regionalization projects. The Department has received requests for funding and has awarded funding feasibility studies, construction, and equipment for proposed regional PSAPs and RECCs; and construction to expand and new equipment for existing regional PSAPs and RECCs. The regional projects funded under this Grant are often complex and are completed over multiple fiscal years. The expenditures are recorded in the fiscal year in which they are incurred. Grants funded under the Development Grant, due to their complexity, often cross fiscal years. The

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Department's projections increase the funding level for the Development Grant to \$30 million to provide funding for these important regionalization efforts. These projections also contain funding to support those projects awarded under a prior fiscal year grant program that have been extended through June 30, 2022. There are currently two hundred fifteen (215) PSAPs in the Commonwealth, with forty-nine (49) PSAPs that have become regionalized since the Development Grant program began. The Department expects that twelve (12) additional PSAPs will regionalize over the next five (5) years.

### **Enhanced 911**

#### *Next Generation 911 Project*

A contract for Next Generation 911 products and services was executed with General Dynamics Information Technology ("GDIT") on August 4, 2014. The deployment of the Next Generation 911 system began in Fiscal Year 2017 and concluded in December 2017. All Massachusetts PSAPs are now operating within the Next Generation 911 system.

On April 29, 2019, the contract for Next Generation 911 products and services executed with GDIT was assigned to Comtech NextGen LLC. At that time the option to renew for an additional five (5) years was also executed, extending the contract for Next Generation 911 products and services through August 3, 2024.

The Department is preparing a request for response (RFR) for the provision of Next Generation 911 products and services for the successor contract. It should be noted that the projections provided for fiscal years 2024 – 2026 are the Department's best estimate based upon the proposed structure of this RFR and information currently available to the Department.

#### *Map Data*

Through an interdepartmental service agreement between the Department and the Commonwealth's Office of Geographic Information ("MassGIS"), MassGIS provides updated, synchronized mapping data and information to the Department for use by PSAPs. As part of ongoing maintenance, MassGIS will continue updating the street database by adding missing streets and correcting erroneous streets. This is part of the core component of the GIS data used in support of the Next Generation 911 system. MassGIS acquires aerial imagery used for verification of streets and structures as part of the maintenance effort. MassGIS will contract with an outside vendor to identify the roofline of every structure in the Commonwealth and provide an outline of every building. This is necessary to attach street addresses to structures. Parcel data creation will continue to be part of the workflow process necessary to keep the data current. This entails collecting



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digital and paper maps and incorporating individual parcel line work into the statewide data set. Once new parcel data has been incorporated, MassGIS will use that data to update emergency service zones that will ultimately be used to route 911 calls to the proper PSAP. The services in support of Next Generation 911 consist of updated, synchronized mapping data and information and maintenance for the database and aerial imagery, and updates to the emergency services zones. These services are critical to the base operation of the Next Generation 911 system.

#### *Next Generation 911 Recurring and Non-Recurring Costs*

The Department has projected recurring and non-recurring costs for the Next Generation 911 system based on the contract executed on April 29, 2019 and scheduled to expire on August 3, 2024.

The Department is preparing a request for response (RFR) for the provision of Next Generation 911 products and services for the successor contract. It should be noted that the projections provided for fiscal years 2024 – 2026 are the Department's best estimate based upon the proposed structure of this RFR and information currently available to the Department.

#### *Radio Infrastructure*

The CoMIRS+P25 project is a public safety communication system improvement initiative being managed and funded through a formal collaborative business relationship between the Department and the Executive Office of Technology Services and Security ("EOTSS"). Project management has been conferred upon EOTSS while oversight of the financial transactions remain with the Department.

As stated by the DTC in its 20-1 Order, "[t]he Commonwealth of Massachusetts Interoperable Radio System ("CoMIRS") is an existing state-wide interoperable radio network that serves as the primary communications tool for many public safety first responders including the Massachusetts State Police. As such, PSAPs utilize the CoMIRS network to quickly and efficiently dispatch and relay emergency 911 information to first responders. Because of PSAPs' direct reliance on CoMIRS and the fact that CoMIRS is used for 911 dispatch, the DTC has ruled that certain dispatch-related costs of the CoMIRS network are appropriately reimbursed by the [Enhanced 911 Trust] Fund."

#### *Vendor Selection and Network Design and Implementation CoMIRS Digital Modernization Roadmap (Key Activities 6.2.6, 6.2.8, 6.2.9, 6.2.10, 6.2.11 and 6.2.12)*

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Since reporting to the DTC in April 2021, EOTSS has completed its assessment of all network bidder submissions, identified the successful bidder, and executed all Commonwealth contract documents, including a comprehensive and highly detailed statement of work.

After more than twelve months of preparation and publication of an open and competitive solicitation consisting of more than 1,000 equipment and service level requirements, and evaluation of the bids filed in response to that solicitation, (June 2020 – July 2021), EOTSS is pleased to announce that it has awarded the COMIRS+P25 network contract to Motorola Solutions Inc., of Chicago, Illinois (Motorola). On November 9, 2021, Secretary Curtis M. Wood executed a maximum obligation contract with Motorola in the amount of \$97,632,394. Of the total obligation, \$79,155,840 is for “fixed price” deliverables and \$18,476,554 is for “allowances”. The contract provides for the phased delivery of a digital P25 compliant public safety communication network featuring a redundant core, seventeen simulcast sites, ninety-one RF sites and 87 new/refreshed consoles. The new network will be engineered to interoperate with the existing network during the transition from the current system to the new system, ensuring a seamless conversion from the aging analog to the new digital network.

The “fixed price” deliverables include the specific tasks to be completed by Motorola Solutions, the milestones for payment and the timeline for delivery. These deliverables will be satisfied and paid for in accordance with a set of well-defined milestones, over a fifty-six month period. The fixed price deliverable matrix features a “set-up” phase, an “integration” phase and multiple “work phases”. The work phases allow for a rolling implementation paradigm, defined largely by geographic regions. Work phase 1A includes western Massachusetts and portions of Worcester County; work phase 1B includes Barnstable, Bristol, Plymouth and Norfolk Counties; work phase 1C includes Metro Boston, Essex County and portions of Middlesex County and, work phase 1D includes all remaining portions of Middlesex and Worcester Counties. The following milestones serve as the framework for all five work phases and are defined in the CoMIRS modernization procurement documents and the resulting contract with Motorola:

- Staging and delivery.
- Installation.
- Acceptance testing.
- Punch-list resolution.
- Final acceptance.
- Cutover.

These work phases and milestones shadow the “CoMIRS Digital Modernization Roadmap” that was originally presented to the DTC in D.T.C. Docket 18-2. The five activities from the 2017 Commonwealth of Massachusetts Interoperable Radio System blueprint that guided the development of the work phases and milestones are:

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- 6.2.8: Prepare for TDMA radio network implementation,
- 6.2.9: Upgrade radio network core,
- 6.2.10: Build lease or upgrade radio sites,
- 6.2.11: Enhance and expand backhaul network, and
- 6.2.12: Coordinate transition to digital radio network.

PROJECT MILESTONES		
DESCRIPTION	COST	ESTIMATED DUE DATE
System Setup	\$10,908,106	FY22 Q3 – FY26 Q3
Integrations	\$2,784,989	FY26 Q1
Work Phase 1A	\$33,784,960	FY23 Q1 – FY23 Q3
Work Phase 1B	\$14,689,114	FY24 Q1 – FY24 Q3
Work Phase 1C	\$7,344,558	FY24 Q1 – FY25 Q3
Work Phase 1D	\$9,644,113	FY25 Q4 – FY26 Q3

In addition to the “fixed price” deliverables, the contract provides for specific “allowances”. These allowances are pre-approved, variably priced tasks that Motorola may be required to deliver, subject to written instruction by the Commonwealth. The allowances have been grouped into three categories, “civil improvements”, “project implementation activities” and “backhaul improvements”, each with an agreed upon financial cap. Allowance caps may be adjusted, however, any such adjustment will require a negotiated contract modification. (A copy of the Standard Contract Form, the Commonwealth’s Terms and Conditions for Information Technology Contracts, the “Statement of Work” and other standard contract attachments were filed by the CoMIRS PMO as an exhibit to its Fiscal Year 2022, 2nd Quarter Report.)

*Acquire TDMA Digital Radios For Current [Network] Users*  
*CoMIRS Digital Modernization Roadmap (Key Activity 6.2.7)*

As stated in the Commonwealth’s 2017 Interoperable Radio System Study, “[r]eplacing aging analog radios cannot wait until the digital network is built. Rather, the sheer number of radios that are incompatible with modern digital communications requires a dedicated and long term approach to subscriber unit replacement....[a]ll critical, operable radios should be replaced prior to the completion of the CoMIRS digital network. ” (6 CoMIRS Digital Modernization Roadmap, Major Activity 6.2.7). To this end, EOTSS created a grant program whereby any “Operable User of the CoMIRS network is provided the opportunity to petition EOTSS for funding to replace or upgrade active, non-compliant subscriber units, subject to certain technical specifications and activity metrics. In order to ensure that all Operable Users were treated fairly and objectively, EOTSS published the

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“Radio Upgrade Grant Notice and Guidelines”, in November of 2020. In addition to the funds necessary to replace and/or upgrade radios the grant also provides an allowance formula for radio programming and vehicle installation.

Based on allocations and disbursements authorized, purchases approved but pending disbursement and, projected approvals not yet finalized, EOTSS expects to replace nearly 7,000 active/non-compliant public safety subscriber units and upgrade another 3,650 units. The projected cost of all replacements and upgrades is currently set at \$25.4M. Thus far, 138 public safety agencies, including 121 local police, fire and EMS departments have been approved to purchase, program and install over 5,000 replacement subscriber units, at a total cost of \$15.2M.

Of this total, \$11M has already been allocated and/or disbursed. The balance will be disbursed to the respective operable users, once EOTSS receives copies of their purchase documents. It should be noted that a number of operable users are experiencing a delay in the delivery of their radios as a result of production and delivery slowdowns caused by the pandemic and related supply chain issues. EOTSS has budgeted an additional \$5.8 for the purchase, programming and installation of the remaining 1,840 replacement subscriber units.

Beyond replacement purchases, EOTSS will soon issue a competitive solicitation for the purchase and installation of the license and software upgrades. Although the cost of the upgrades remains speculative, EOTSS has budgeted an amount that it believes sufficient to complete this work.

Although the 2017 Study projected the cost of subscriber unit replacements and upgrades to be ~\$75M the combination of aggressive price negotiations and the enforcement of an objective set of replacement eligibility standards, the overall cost of replacements and upgrades is now projected to be about one-third the amount advanced in the 2017 Study.

#### Project Budget

The cost of the Radio Infrastructure project, as estimated in the 2017 Commonwealth of Massachusetts Interoperable Radio System Report, was \$125M. In 2018 and, based on the 2017 cost projection, the Department requested authorization for a surcharge increase sufficient to support a revenue collection of \$125M over a five year period. Today, and after securing a network fixed price agreement in the amount of \$79.16M, a network allowance agreement in the amount \$18.47M and, projecting radio replacements and upgrades to cost \$25.5M, the cost for the Radio Infrastructure has been revised to \$132.5M. The revised project cost exceeds the original projection by \$7.5M or 6%, however, remains well under the cumulative inflation rate for the period between 2017 and 2021 of 10.5%. In order to address the cost increase outside of the Enhanced 911

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Trust Fund, EOTSS has supplemented its “Five-Year Budget” with an additional U07 expenditure line item called “Alternative Funding Source”. This line item will provide \$2.5M in annual network funding for Fiscal Year 2024, Fiscal Year 2025 and Fiscal Year 2026. EOTSS is actively assessing operational and capital revenue alternatives from which this \$7.5M will be funded.

### EOTSS Reporting

Lastly, and in accordance with D.T.C. Orders and Department guidance, EOTSS has, and continues to file quarterly and annual reports with the Department. The Department has transmitted each of the quarterly and annual reports to the DTC for publication to the respective docket file.

### Wireless Center

The Department is operating a Wireless Center whereby the Department took over responsibility for receiving wireless 9-1-1 calls formerly assigned to two wireless state police PSAPs and, as appropriate, relaying emergency 9-1-1 calls to public or private safety departments or PSAPs. The Wireless Center operated by Department employees is located at the location that formerly housed the Framingham wireless state police PSAP. The Department is currently working with the Division of Capital Asset Management and Maintenance to relocate this Wireless Center, which will allow for expansion.

### 911 Call Center

The Department assumed operational responsibility of one (1) RECC effective Fiscal Year 2020. The transition of the North Shore Regional 911 Center (NSRC), formerly known as the Essex County RECC, was completed in July 2019. The NSRC receives and processes 9-1-1 calls from five (5) municipalities. In addition, the NSRC receives and processes wireless 9-1-1 calls for that region of the Commonwealth.

### Interpretive Services

Interpretive services, through a third-party vendor, continue to be provided to PSAPs throughout the Commonwealth and for the equipment distribution program (EDP) pursuant to a statewide contract with a contractor.

### Mobile PSAP

The Department owns, operates, controls, and maintains a mobile PSAP. The mobile PSAP is a vehicle outfitted with six (6) Next Generation 911 answering positions, one (1) administrative workstation, ten (10) administrative telephones, and seven (7) Telular

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terminals. It is housed in a 2010 Kenworth vehicle. The mobile PSAP is available 24 x 7 to respond to and temporarily replace and assist PSAPs that are rendered non-operational due to structural failure, equipment failure, infrastructure failure, or other emergency and/or pre-planned events. The mobile PSAP is deployed for training, public education, PSAP conversions and build outs, the Boston Marathon, and as an emergency backup PSAP. With the upgrade to Next Generation 911, the MPSAP is more capable and easier deployed. The Department has included projected expenses of maintenance and monitoring and overall support for the mobile PSAP.

### Training Program

The legislation requires the Department to train enhanced 911 telecommunicators regarding the receipt and use of enhanced 911 service information. See G.L. c. 6, § 18B(f). Since the inception of the training program, the Department has engaged in an effort to offer a comprehensive training program that has expanded through the addition of many new approved courses due to procedural, operational and technology changes like Next Generation 911.

The legislation also directs the Department to establish, with the State 911 Commission's approval, certification requirements for enhanced 911 telecommunicators that include EMD and quality assurance of EMD programs.

Accordingly, effective July 1, 2012, the Department promulgated 560 CMR 5.00: State 911 Department Regulations Establishing Certification Requirements for Enhanced 911 Telecommunicators, Governing Emergency Medical Dispatch, and Establishing 911 Call Handling Procedures ("EMD regulations"). The EMD regulations impose certification requirements in order for a person to act as an enhanced 911 telecommunicator. These regulations require the successful completion of a minimum of two (2) days of 911 equipment and basic telecommunicator training offered by the Department and successful completion of a minimum of forty (40) hours of Department-approved basic telecommunicator training (or the equivalent). In order to maintain certification as an enhanced 911 telecommunicator, it is necessary to successfully complete thereafter a minimum of sixteen (16) hours of Department-approved continuing education annually (or the equivalent). In addition, the EMD regulations impose requirements for PSAPs to provide EMD services either through certified emergency medical dispatchers or by arranging for EMD to be provided through a certified EMD resource. The EMD regulations require that, in order to act as a certified emergency medical dispatcher for a PSAP, an individual shall: obtain and maintain certification as an enhanced 911 telecommunicator; obtain and maintain CPR certification; and obtain and maintain certification in EMD through an EMD certification organization approved by the Department. The EMD regulations require that, in order to act as a certified EMD

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resource, the entity shall submit a request for approval that shall include the EMD protocol and documentation that each emergency medical dispatcher is certified.

The EMD regulations require that all certified enhanced 911 telecommunicators complete sixteen (16) hours of continuing education annually. Further, the EMD regulations require newly hired enhanced 911 telecommunicators to complete a minimum of two (2) days of 911 equipment and basic training and to complete a minimum of forty (40) hours of Department-approved basic telecommunicator training, plus certification in EMD (at either twenty-four (24) hours or thirty-two (32) hours depending on the vendor) if providing EMD in-house and a four (4) hour cardiopulmonary resuscitation (CPR) course. The training is managed by the PSAPs, and the courses vary. The Department maintains a listing of eligible courses that are supported by the Training Grant program.

#### Public Education

The legislation provides for the education of consumers regarding the operation, limitation, role and responsible use of enhanced 911 service. The Department continues with its strong commitment to educate the public regarding enhanced 911 service throughout the Commonwealth. The Department continues to attend outreach events across the Commonwealth, including furnishing literature and information about enhanced 911 service, telecommunications relay service (TRS), and EDP, and conducting public service announcements, or PSAs.

#### Disability Access Program (Specialized Customer Premises Equipment, Telecommunications Relay Services, Captioned Telephone Relay Service)

The legislation transferred to the Department the responsibility for administration and oversight of disability access programs. The legislation directs the Department to provide and maintain a Specialized Customer Premises Equipment, or SCPE, Distribution Service.<sup>4</sup> This program, which has been expanded to include wireless phones, makes specialized devices that provide access to telephone networks for people with hearing, speech, vision, mobility or cognitive disability. The legislation also directs the Department to administer telecommunication relay service,<sup>5</sup> or TRS, and captioned telephone relay service, or CTRS, throughout the Commonwealth.<sup>6</sup> The Department has entered into contracts with various equipment vendors to provide the SCPE to persons with disabilities. Further, the Department executes contracts with the Commission for the Deaf and Hard of Hearing and other entities to support this program. In addition, the Department has procured the services of a contractor to provide both TRS and CTRS

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<sup>4</sup> The statutory definition of "SCPE" is set forth in G.L. c. 155, § 15E.

<sup>5</sup> The statutory definition of "telecommunications relay service" or "TRS" is set forth in G.L. c. 155, § 15E.

<sup>6</sup> The statutory definition of "captioned telephone service" is set forth in G.L. c. 155, § 15E.

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throughout the Commonwealth. The Department's projections maintain funding levels to support these services.

### **III. FISCAL YEAR 2023 DEVELOPMENT GRANT AMOUNT**

The legislation requires that the Development Grant shall provide regional PSAPs and RECCs with funds to support the development and startup of regional and regional secondary PSAPs and regional emergency communication centers. *See* G.L. c. 6A, §18B(i)(5). The Department seeks to increase funding to \$30 million for the Fiscal Year 2023 Development Grant.

With respect to the Development Grant, the legislation provides as follows:

The regional and regional secondary PSAP and regional emergency communication center development grant shall support the development and startup of regional and regional secondary PSAPs and regional emergency communication centers, including the expansion or upgrade of existing regional and regional secondary PSAPs, to maximize effective emergency 911 and dispatch services as well as regional interoperability. The eligibility for criteria, amount and allocation of funding shall be contained in guidelines established by the department, with commission approval. The grant shall reimburse allowable expenses related to such development and startup, or expansion or upgrade. Any subsequent adjustments that increase the initial funding allocated to this grant by 10 per cent or more shall be approved by the department of telecommunications and cable, upon the petition of the department. The department of telecommunications and cable shall conduct its review and issue a decision within 90 days of the date of the filing of the petition, but the request for approval shall be deemed approved if the department of telecommunications and cable does not issue its decision within 90 days. *See* G.L. c. 6A, §18B(i)(5).

The initial Development Grant allocation amount that was established in Fiscal Year 2009 by the Department, with State 911 Commission approval, was \$7.5 million.

Consistent with the legislative intent and the goal of improving public safety and increasing regionalization of government services, the Development Grant is used to establish regional PSAPs and RECCs. Regional PSAPs and RECCs not only create more efficient and effective use of government resources, but also improve public safety for the



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residents they serve. Combining emergency communication resources through regional PSAPs and RECCs allows for increased staffing, thereby affording 911 telecommunicators the ability to more effectively interact with the public while gathering essential call information and providing potentially life-saving instructions and adequately responding to larger or multiple simultaneous incidents. Regional PSAPs and RECCs allow for increased coordination of a region's limited emergency response resources, including specialized fire, police and EMS vehicles and personnel, and leads to more efficient response to both routine requests for mutual aid and major disasters.

Since the inception of the Development Grant through FY 2022, the Department has awarded a total of \$156,864,816 under this program. Each grant cycle the Department has received requests for funding that total well in excess of the amount allocated to the grant. In Fiscal Year 2022, the Department received grant requests totaling \$39,794,023.

Given the past interest shown in the Development Grant, the number of new and multi-year projects, and other regional projects on the horizon, and as a means of providing further incentives to encourage existing regional centers to add to their ranks, the \$30 million for FY 2023 will allow the Department to fund projects more fully than it has in the past several fiscal years.

The legislation (G.L. 6A, §18B(b)) provides that the State 911 Commission "shall review and approve by a majority vote of those members present all formulas, percentages, guidelines or other mechanisms used to distribute the grants described in section 18B, and all major contracts that the [D]epartment proposes to enter into for enhanced 911 service." At its meeting held on November 18, 2021, the State 911 Commission unanimously voted to authorize the Department to seek DTC approval of the \$30 million amount.

#### **IV. FISCAL YEAR 2023 INCENTIVE GRANT REGIONAL PSAPS SERVING THREE TO NINE COMMUNITIES CATEGORY AMOUNT**

The legislation requires that the Incentive Grant shall provide regional PSAPs and RECCs with funds, in addition to amounts allocated as part of the Support Grant, to be used for reimbursement of allowable expenses. *See* G.L. c. 6A, §18B(i)(4). With respect to regional PSAPs, the legislation uses a formula that applies a specified percent of total surcharge revenues for the previous fiscal year based on the number of municipalities to be served by the regional PSAP. *See* G.L. c. 6A, § 18B(i)(4). The legislation permits the Commission to adjust the percentages to ensure a proper allocation of funds as more regional PSAPs are added. *See* G.L. c. 6A, § 18B(i)(4.)

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The legislation provides as follows:

The regional PSAP and regional emergency communication center incentive grant shall provide regional PSAPs and regional emergency communication centers with funds in addition to amounts allocated as part of the PSAP and regional emergency communication center support grant to be used for reimbursement of allowable expenses as specified in the support grant for regional PSAPs and regional emergency communication centers in the following amounts: (i) for regional PSAPs serving 2 municipalities,  $\frac{1}{2}$  of 1 per cent of the total surcharge revenues of the previous fiscal year; **(ii) for regional PSAPs serving 3 to 9 municipalities, 1 per cent of the total surcharge revenues of the previous fiscal year;** (iii) for regional PSAPs serving 10 or more municipalities,  $1\frac{1}{2}$  per cent of the total surcharge revenues of the previous fiscal year; and (iv) for regional emergency communication centers, 2 per cent of the total surcharge revenues of the previous fiscal year. The percentages in clauses (i) to (iv), inclusive, may be adjusted by the commission to ensure a proper allocation of incentive funds as more regional PSAPs and regional emergency communication centers are added. Any such adjustments that increase the initial total allocation of the incentive grant by 10 per cent or more shall be approved by the department of telecommunications and cable, upon the petition of the department. The department of telecommunications and cable shall conduct its review and issue a decision within 90 days of the date of the filing of the petition, but the request for approval shall be deemed approved if the department of telecommunications and cable does not issue its decision within such 90 days. (emphasis added). *See* G.L. c. 6A, § 18B(i)(4).

The Department seeks approval to increase the Fiscal Year 2022 Incentive Grant regional PSAP serving three to nine communities category percentage from 2 per cent<sup>7</sup> of surcharge revenues of the previous fiscal year to up to 3 per cent of the total surcharge revenues of the previous fiscal year.

The legislation contemplates that the specified percentages may be adjusted to ensure a proper allocation of incentive funds as more regional PSAPs and RECCs are added. This percentage adjustment requested in this Petition is intended to ensure a proper allocation of incentive funds due to the addition or growth of regional PSAP and RECCs.

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<sup>7</sup> The 2% was approved by the DTC by Order dated May 26, 2021 in D.T.C. 21-3.

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The percentage adjustment is necessary to ensure a proper allocation in recognition of the addition(s) to regionalization projects and to maintain existing regional PSAPs at their recognized level of funding.

The Department believes that this adjustment will allow the Department to meet its statutory obligations to maximize effective enhanced 911 services and regional interoperability and will further the Department's goals of increased regionalization which will, in turn, lead to a more efficient and effective use of resources and improve public safety.

Accordingly, the Department requests that the DTC approve the Incentive Grant regional PSAP serving three to nine communities category funding level of up to 3 per cent beginning in Fiscal Year 2023.

#### **V. FISCAL YEAR 2023 INCENTIVE GRANT REGIONAL EMERGENCY COMMUNICATION CENTERS CATEGORY AMOUNT**

The legislation requires that the Incentive Grant shall provide regional PSAPs and RECCs with funds, in addition to amounts allocated as part of the Support Grant, to be used for reimbursement of allowable expenses. *See* G.L. c. 6A, §18B(i)(4). With respect to regional PSAPs, the legislation uses a formula that applies a specified percent of total surcharge revenues for the previous fiscal year based on the number of municipalities to be served by the regional PSAP. *See* G.L. c. 6A, § 18B(i)(4). The legislation permits the Commission to adjust the percentages to ensure a proper allocation of funds as more regional PSAPs are added. *See* G.L. c. 6A, § 18B(i)(4.)

The legislation provides as follows:

The regional PSAP and regional emergency communication center incentive grant shall provide regional PSAPs and regional emergency communication centers with funds in addition to amounts allocated as part of the PSAP and regional emergency communication center support grant to be used for reimbursement of allowable expenses as specified in the support grant for regional PSAPs and regional emergency communication centers in the following amounts: (i) for regional PSAPs serving 2 municipalities,  $\frac{1}{2}$  of 1 per cent of the total surcharge revenues of the previous fiscal year; (ii) for regional PSAPs serving 3 to 9 municipalities, 1 per cent of the total surcharge revenues of the previous fiscal year; (iii) for regional PSAPs serving 10 or more municipalities,  $1\frac{1}{2}$  per cent of the total surcharge revenues of the previous fiscal year; and **(iv) for regional emergency**

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**communication centers, 2 per cent of the total surcharge revenues of the previous fiscal year.** The percentages in clauses (i) to (iv), inclusive, may be adjusted by the commission to ensure a proper allocation of incentive funds as more regional PSAPs and regional emergency communication centers are added. Any such adjustments that increase the initial total allocation of the incentive grant by 10 per cent or more shall be approved by the department of telecommunications and cable, upon the petition of the department. The department of telecommunications and cable shall conduct its review and issue a decision within 90 days of the date of the filing of the petition, but the request for approval shall be deemed approved if the department of telecommunications and cable does not issue its decision within such 90 days. (emphasis added). *See* G.L. c. 6A, § 18B(i)(4).

This Department seeks approval to increase the Fiscal Year 2023 Incentive Grant RECC Category percentage from 10 per cent<sup>8</sup> of surcharge revenues of the previous fiscal year to up to 12 per cent of the total surcharge revenues of the previous fiscal year.

The legislation contemplates that the specified percentages may be adjusted to ensure a proper allocation of incentive funds as more regional PSAPs and RECCs are added. This percentage adjustment requested in this Petition is necessary to ensure a proper allocation of incentive funds due to the addition and expansion of RECCs, and to maintain existing RECCs at their recognized level of funding.

The Department believes that this adjustment will allow the Department to meet its statutory obligations to maximize effective enhanced 911 services and regional interoperability and will further the Department's goals of increased regionalization which will, in turn, lead to a more efficient and effective use of resources and improve public safety.

Accordingly, the Department requests that the DTC approve an Incentive Grant RECC category funding level of up to 12 per cent beginning in Fiscal Year 2023.

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<sup>8</sup> The 10% was approved by the DTC by Order dated May 16, 2019 in D.T.C. 19-2.

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## VI. CONCLUSION

All of the expenditures and projected expenditures are prudently incurred expenses designed to fulfill the Department's statutory responsibility to coordinate and effect the implementation of enhanced 911 service, to administer such service in the Commonwealth, and to administer and support the disability access programs in the Commonwealth.

Accordingly, the State 911 Department requests DTC approval of the Fiscal Year 2022 projected expenditures, the Fiscal Year 2023 Development Grant amount, the Fiscal Year 2023 Incentive Grant regional PSAP three to nine communities category percentage, and the Fiscal Year 2023 Incentive Grant RECC category percentage.

Thank you for your attention to this matter, and please feel free to contact me for further information.

Sincerely,



Frank Pozniak  
Executive Director

cc (w/encs.): Karen Charles Peterson, Commissioner, DTC  
Sean Carroll, General Counsel, DTC  
Lindsay DeRoche, Director, Competition Bureau, DTC  
Donald Boecke, Office of the Attorney General  
Kerry Collins, Undersecretary, Executive Office of Public  
Safety and Security  
Normand Fournier II, Deputy Executive Director, State 911 Department  
Dennis Kirwan, General Counsel, State 911 Department  
Karen Robitaille, Fiscal Director, State 911 Department